

# EXHIBIT B

# ANDERSON KILL P.C.

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By Hand Delivery

December 28, 2020

Clerk of the Court, Ruby J. Krajick  
United States District Court  
Southern District of New York  
Office of the Clerk  
500 Pearl Street  
New York, New York 10007

Re: *Ber Barry Aron et al. v. Islamic Republic of Iran*,  
Case No.: 1:20-cv-9376; RE: Service

Dear Clerk of the Court, Ruby J. Krajick:

I represent the Plaintiffs in the above-referenced action.

I am writing to request you effect service on the Defendant, Islamic Republic of Iran, pursuant to 28 U.S.C. §1608(a)(4), at the following address:

Minister of Foreign Affairs  
Ministry of Foreign Affairs of the Islamic Republic of Iran  
Iman Khomeini Avenue  
Tehran, Iran  
ATTN: H.E. Mohammad Javad Zarif

Service on Iran cannot be effected under 28 U.S.C. Sections 1608(a)(1) and (2) because the United States and Iran do not have any special arrangement for service of process upon Iran in accordance with sub-section (1), nor is service permitted by any applicable international convention under the provisions of sub-section (2).<sup>1</sup> See *Valore v. Islamic Republic of Iran*, 700 F. Supp. 2d 52, 70 (D.D.C. 2010).

On November 24, 2020, Plaintiffs, through the Clerk of the Court, attempted to serve the Defendant pursuant to the provision to 28 U.S.C. §1608(a)(3). Annexed hereto as **Exhibit 1**, is a copy of the certificate of mailing.

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<sup>1</sup> Iran is not a signatory to the convention of the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters.

New York, NY ■ Los Angeles, CA ■ Stamford, CT ■ Washington, DC ■ Newark, NJ ■ Philadelphia, PA

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As of Monday, December 28, 2020, thirty (30) days have passed since the certificate of mailing has been issued and service had not been able to be completed under 28 U.S.C. § 1608(a)(3). Annexed hereto as **Exhibit 2**, is a true and correct copy of the USPS tracking information of the package sent by the Clerk of the Court indicating that serve has not been made.

Accordingly please serve the Defendant pursuant to 28 U.S.C. §1608(a)(4) at the following address:

Attn: Secretary of State, Director of Consular Services, Office of Policy Review and Inter-Agency Liaison (CA/OCS/PRI)  
U.S. Department of State  
SA-29, 4th Floor  
2201 C Street NW  
Washington, DC 20520

Enclosed please find copies of the following documents:

1. Civil Cover Sheet.
2. Complaint deemed filed on November 9, 2020.
3. Summons.
4. Statement of Relatedness.
5. Notice of suit prepared in accordance with 22 CF § 93.2 with a copy of 28 U.S.C. 1330, 1391(f), 1441(d) and 1602-1611.
6. Affidavit of translator.
7. Translations of the above mentioned documents.<sup>2</sup>

In total, we are providing three complete sets of the documents, in both English and Farsi. In accordance with pages 12-13 of the Court's Foreign Mailing Instructions, we are providing two sets for service on the Defendant and one set of documents for the Court's file.

We have also enclosed pre-paid FedEx label and envelope for delivery to the address above. Please note that our firm FedEx account number is 628354049.

We further enclose a cashier's check in the amount of \$2,275.00 made payable to "U.S. Embassy Bern."

Should you have any questions or require any additional information please do not hesitate to contact me.

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<sup>2</sup> The affidavit of the translator comports with the requirements of NY CPLR 2101(b).

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Regards,

Jerry S. Goldman



Enclosures

# **EXHIBIT 1**

Registered No. RE295893173US		Date Stamp 0004 7
Reg. Fee	\$12.74	
Handling Charge	\$16.00	Return Receipt
Postage	\$6.10	Restricted Delivery
Received by	\$0.00	
		To Be Completed By Post Office
Customer Must Declare Full Value \$0.00		Domestic Insurance up to \$25,000 is included in the declared value. International indemnity is limited. (See Reverse)
<b>OFFICIAL USE</b>		
TO	<p>Mr. Jerry Goldman Att. Jerry Goldman Anderson Kill P. C. 1251 Avenue of the Americas New York, NY 10020</p> <p>Mr. H. E. Mohammad Javad Zarif Minister of Foreign Affairs of the Islamic Rep. of Iran Imam Khomeini Avenue Tehran, Iran</p>	

PS Form 3806 Receipt for Registered Mail Copy 1 - Customer  
(See Information on Reverse)  
May 2007 (7530-02-000-9051)  
For domestic delivery information, visit our website at [www.usps.com](http://www.usps.com) ®

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Ber Barry Aron et al.

-v-

Islamic Republic of Iran

**CERTIFICATE OF MAILING**

Case No.: 20cv9376 ( GBD )( SN )

I hereby certify under the penalties of perjury that on the 24<sup>th</sup> day of November, 2020, I served: Islamic Republic of Iran C/O Minister of Foreign Affairs, Ministry of Foreign Affairs of the Islamic Republic of Iran, Imam Khomeini Avenue, Tehran, Iran, ATTN: H.E. Mohammad Javad Zarif

the head of the ministry of foreign affairs, pursuant to the provisions of the Foreign Sovereign Immunities Act, 28 U.S.C. § 1608(a)(3).

1 copy of the following documents

- Summons
- Complaint deemed filed on November 9, 2020
- Civil Cover Sheet
- Statement of relatedness
- Notice of suit prepared in accordance with 22 CFR § 93.2 with a copy of 28 U.S.C. §§ 1330, 1391(f), 1441(d) and 1602-1611
- Affidavit of translator (along with translations of the mentioned documents)

by USPS REGISTERED MAIL RE295893173US \_\_\_\_\_

Dated: New York, New York  
November 24, 2020

RUBY J. KRAJICK  
CLERK OF COURT

/S/JaVonn Ross \_\_\_\_\_  
DEPUTY CLERK

# **EXHIBIT 2**

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Add a tracking number

Showing:

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**RE295893173US**

**Not Trackable:**

USPS Tracking® is unavailable  
for this product for IRAN  
ISLAMIC REPUBLIC OF.

Feedback

